

## FACILITATING THE ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

MARCH 28, 1956.—Committed to the Committee of the Whole House and ordered to be printed

Mr. CHELF, from the Committee on the Judiciary, submitted the following

### REPORT

[To accompany H. J. Res. 591]

The Committee on the Judiciary, to whom was referred the joint resolution (H. J. Res. 591) to facilitate the admission into the United States of certain aliens, having considered the same, report favorably thereon without amendment and recommend that the joint resolution do pass.

#### PURPOSE OF THE RESOLUTION

The purpose of the joint resolution is to facilitate the admission into the United States of 2 aliens who are the adopted children of citizens of the United States, and of 1 alien who was formerly admitted to the United States for permanent residence.

#### GENERAL INFORMATION

The committee, desiring to lighten the burden of the Chief Executive and to shorten the time required for the consideration of private calendars on the floor of the House, has decided to include the names of several beneficiaries of pending private bills in one House joint resolution, after having considered each of the cases on their individual merits and having acquainted themselves with all the facts pertinent to each case.

Sections 1 and 2 of the joint resolution are designed to admit two persons to the United States for permanent residence who are the adopted children of United States citizens. They were the beneficiaries of H. R. 2520, by Mr. Teague of California.

Section 3 of the joint resolution is designed to grant to one person the status of a returning resident alien. That beneficiary was the subject of H. R. 3044, by Mrs. Kelly of New York.

A discussion of each case included in the joint resolution, with report from the departments of the administration, and such additional information as was obtained by the committee, appears below in the order that those cases appear in the joint resolution.

*Philip Cheng and Grace Cheng—H. R. 2520, by Mr. Teague of California*

The beneficiaries, Philip Cheng and Grace Cheng, are 19 and 21 years of age, respectively. They are natives and citizens of China who are residing with relatives in Hong Kong. Their adoptive parents, Mr. and Mrs. Andrew I. S. Cheng are naturalized citizens of the United States.

The pertinent facts in this case are contained in a letter, dated June 15, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

UNITED STATES DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
OFFICE OF THE COMMISSIONER,  
Washington 25, D. C., June 15, 1955.

HON. EMMANUEL CELLER,

*Chairman, Committee on the Judiciary,  
House of Representatives, Washington 25, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 2520) for the relief of Grace Cheng and Philip Cheng, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the Salinas, Calif., office of this Service, which has custody of those files.

The bill is intended to confer nonquota status upon the alien children pursuant to sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act by providing that the children shall be considered the natural-born, alien children of United States citizens.

Sincerely,

\_\_\_\_\_, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND  
NATURALIZATION SERVICE FILES RE GRACE CHENG AND  
PHILIP CHENG, BENEFICIARIES OF H. R. 2520

The beneficiaries, Grace Cheng, whose true name appears to be Jih Hwa YU, and her brother Philip Cheng, whose true name appears to be Jih Lung YU, are natives and citizens of China. Their ages are 20 and 18 respectively, and they are not married. They are residing with relatives in Hong Kong and have never been in the United States. Mr. and Mrs. Andrew I. S. Cheng, the sponsors of the bill, have furnished the information to this Service concerning the beneficiaries, and, in the course of an interview with a representative of this Service, they have presented a notarized affidavit dated August 29, 1953, at Hong Kong, B. C. C., executed by Deh Hu YU, the natural father of the aliens, granting permission for the adoption of the beneficiaries by Mr. and Mrs. Andrew Cheng. Mrs. Cheng is a sister of the natural father of the beneficiaries.

Mr. and Mrs. Andrew I. S. Cheng, the sponsors, are citizens of the United States, by virtue of naturalization in the United States district court at San Francisco, Calif., on November 11, 1954. They have no children of their own. Mr. Cheng is employed as an instructor in the Chinese Department of the United States Army Language School at Monterey, Calif., at a salary of \$5,560 per annum. Mrs. Cheng is not employed. They claim to be owners of real estate in the United States valued at approximately \$20,000.

Mr. Teague of California, the author of H. R. 2520, submitted the following letter and statements in support of his measure:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D. C., February 27, 1956.

Re H. R. 2520, Grace Cheng and Philip Cheng.

HON. FRANCIS E. WALTER,  
*Chairman, Subcommittee No. 1,  
Committee on the Judiciary, House of Representatives.*

DEAR CONGRESSMAN WALTER: Prompted by the expressed wishes of the subcommittee at the hearing on the above-identified bill this morning, with reference to further substantiation of the adoption of Grace Cheng and Philip Cheng by Dr. and Mrs. Andrew I. S. Cheng, I am pleased to present with this letter 2 communications, 1 over the signature of Dr. Cheng and the other over the signature of Lt. Col. Edwin P. Arnold.

Reference is made to the communication signed by Dr. Andrew I. S. Cheng under date of October 17, 1951, wherein he states on page 2 (first paragraph) that: "The father of the children is my wife's brother and, according to Chinese custom, in the case of blood relations no formal adoption papers are required. An affidavit certifying to the adoption may be furnished by the children's natural-born father now in China."

Supporting the statement of Dr. Cheng, quoted in the foregoing paragraph, is the enclosed letter under date of January 14, 1952, over the signature of Lt. Col. Edwin P. Arnold, United States Army Liaison Office, care of American Consulate General, Hong Kong, B. C. C., wherein Colonel Arnold refers to the adopted children, adopted through verbal agreement, "a legal practice in Chinese society."

For verification of the adoption procedure, I have communicated with the Embassy of the Chinese Nationalist Government here today, and I am informed that adoption is regarded as a family matter in China, arrangements for adoption being a matter of family agreement. I am advised that customarily this procedure has been regarded as legal in China. In Chinese law, I am told, there is a more recent provision for legal papers of adoption, sometimes issued as affirmation of previous adoption arranged under old methods of family agreement. It should be noted in this connection that the adopted children were born in Chinese territory now in Communist hands, and it is reasonable to suppose that any affirmation by official documents other than presented to the committee previously and with this letter would not

be obtainable. The evidence submitted appears to be conclusive that Grace Cheng and Philip Cheng were legally adopted by Dr. and Mrs. Andrew I. S. Cheng many years ago.

Respectfully submitted.

CHARLES M. TEAGUE,  
*Member of Congress.*

HEADQUARTERS, THE ARMY LANGUAGE SCHOOL,  
DIVISION OF FAR EASTERN LANGUAGES,  
CHINESE LANGUAGE DEPARTMENT,  
Presidio of Monterey, Calif., October 17, 1951.

Memorandum: To Whom It May Concern.

From: Andrew I. S. Cheng.

Subject: Petition for admittance to the United States of my children, Grace Cheng (age 16) and Philip Cheng (age 14).

I. *My personal status and occupation.*—The undersigned, Andrew I. S. Cheng, has been in the United States continuously since 1938, and wife, Anna Cheng, continuously since 1940. I am at present chairman of the Chinese Department of the Army Language School, Presidio of Monterey, Calif., where I have served continuously since 1947.

My wife and I came to the United States from China originally as students. At the outbreak of World War II, we both became instructors of the Chinese language in the University of California in Berkeley for a period of 3½ years. In 1947, my services were secured by the United States Army as professor and chairman of the Chinese Department of the Army Language School. At present my civil service classification is GS-9, at a salary of \$4,600 per annum. (As of July 1951, adjusted to \$5,060 per annum; recently raised to \$5,185 per annum.)

My immigration status has been changed from that of a student to that of a temporary visitor; in addition, having been in the United States for a period of more than 7 years, I applied in January 1949, for adjustment of status to that of a permanent resident under the provisions of section 19 (c) (2) of the Immigration Act of 1917 as amended by Public Law 863. Action on this application is pending. It is our great desire, upon achieving the status of permanent residents, to apply for naturalization as American citizens.

II. *Status of my children.*—My wife and I have 2 children, Grace Cheng, age 16, and Philip Cheng, age 14, whom we adopted in infancy upon the death of the children's mother. The father of the children is my wife's brother and, according to Chinese custom, in the case of blood relations no formal adoption papers are required. An affidavit certifying to the adoption may be furnished by the children's natural-born father now in China.

During the time I have been in this country, the children have been in the care of their grandaunt, their aunt and then their grandparents in Foochow city, Fukien Province, China. Since the city was taken by the Communists, it has been my desire to bring the children to this country. For this purpose I secured for them visitor's passports from the Chinese Government, and after very great difficulty and danger the children were brought out to Hongkong where they are at present.



I had already prepared for their passage to this country by filing an affidavit of support and maintenance, together with a letter to the United States consul in Hongkong, signed by commandant of the Army Language School, certifying my ability to care for the children here, and these documents were placed in the possession of the children at the time of their arrival in Hongkong. They are also in possession of prepaid vouchers for their passages across the Pacific to San Francisco by the American President Lines.

However, I have learned that the United States consul will not issue them visas to the United States on the grounds that they are not my natural-born children, and that I myself have not as yet gained a permanent status in the United States.

III. *Reasons for request of admittance of children to the United States.*—After a separation from our children of 13 years, in my case, and 11 years, in the case of my wife, we are urgently desirous of being reunited with them in this country. I earnestly submit the following reasons on which special action may be based to permit entry of Grace and Philip Cheng to the United States:

(a) In consideration of my past record:

(1) My work in the service of the United States Government: During the last war, in connection with my work at University of California, I was responsible for the training of more than 400 Army and Marine officers in the Chinese language and some diplomatic personnel together with several hundred civilians who were assigned to work in China. The president of the California College in China, Dr. William B. Pettus, subsequently received an award of a citation from the War Department in Washington which reads:

"Through his untiring efforts, unusual vigor and interest, outstanding efficiency, wealth of experience, both in the teaching field and in the Orient as president of the College of California in China, to augment routine instruction by bringing into Army classrooms outstanding lecturers qualified to speak on the various aspects of Chinese life and customs, Dr. Pettus contributed materially to the successful completion by Army officers of the Chinese Army language course at University of California."

As mentioned above, I have been with the Army Language School at Monterey for 4 years, now heading a rapidly expanding department in the teaching of Chinese to a large number of officers and enlisted men. Serving as chairman of the department, I take the responsibility of supervising and training instructors, preparing course studies, selecting text books and criteria; and prepare and issue schedules. I personally design examinations following modern principles of objective training and supervise the preparation, administration, and correction of achievement type examinations to measure the progress of individual students to recommend their future assignments as translators or interpreters. I maintain a close watch over the progress of individual students through interviews and by visiting classrooms. I am a specialist in and teach the beginners as well as the advanced students in Chinese history, geography, engineering terminology, and military terminology. To be eligible for this position it was necessary that I be an expert in one or more technical fields and have a knowledge of the manners, customs, political, economic, scientific, and social trends of China.

(2) My work in the educational and religious fields: Just before I graduated from the college I was an editor of two daily newspapers in my native city. After I graduated, I was an instructor at the Anglo-Chinese College in Foochow, Fukien, China, teaching Chinese philosophy and literature for 3 years. Later, I was engaged as principal of Tung Hua High School in Sibu, Sarawak, Borneo.

I served for some time as a preacher in a Methodist church in Sibu, Sarawak, Borneo. In 1938 a scholarship was awarded to me, so I came to the United States and entered the Drew Theological Seminary, for my postgraduate studies. In those 3 years while I was in the seminary, I went to many cities and communities during weekends to preach and advocate mission work in China. Wherever I went I introduced Chinese culture to the American people and promoted understanding and good will between our two nations.

(3) My educational background: In preparation for my working career, I have had advanced education in the United States after graduating from college in China. I received several degrees from different colleges and seminaries: B. A., Fukien Christian University, Foochow, China; B. D., Drew Theological Seminary, Madison, N. J.; M. A., Berkeley Baptist Divinity School, Berkeley, Calif.; D. D., College of Pacific, Stockton, Calif. I also took postgraduate work in Pacific School of Religion, Berkeley, Calif.

(4) My financial status: My salary from the Army Language School, under civil service classification GS-9, is \$4,600 per annum. (As of July 1951, adjusted to \$5,060; recently raised to \$5,185 per annum.) From my wife's and my savings we have been able to own our home in Seaside, Calif., as well as to build another house adjacent thereto. (We also own four more building lots in the same area.) I am prepared to execute affidavits certifying my ability and willingness to support my children after they arrive in the United States.

(5) My wife's and my great desire to become citizens of the United States: After 13 years of continuous residence in this country of my choice and service as aforementioned; after 11 years of continuous residence in the case of my wife, we have great desire to remain in the United States and to become American citizens. To this end we have taken due steps toward establishing our permanent residence status, the granting of which is expected to be a matter of course. Within the stated 2 years after that we expect to complete our naturalization.

(b) In consideration of my wife's anxiety and her health:

(1) Her personal background and present status: With respect to educational and occupational background, legal status in this country, and desire of becoming an American citizen, the facts about my wife are similar to those of my own as stated above.

My wife's educational background is as follows: B. A., Hua Nan Women College, Foochow, China; M. A., Berkeley Baptist Divinity School, Berkeley, Calif. Took postgraduate studies at the Nanking Theological Seminary in China and at the Pacific School of Religion in Berkeley, Calif.

My wife's vocational experiences are as follows: Teacher, Han Ying School, Foochow, China; dean, Chang-Le High School, Chang-Le, China; dean, Tung-Hua High School, Sibu, Sarawak, Borneo; teacher, Kuo-Min School, Sitiawan, Malaya; instructor, California College in China, University of California, Berkeley, Calif.

(2) Effect of separation from children on her health: Largely through worry over the children, my wife has been in increasingly poor health and has been under the care of several physicians whose names may be produced if required. It is my firm belief that the coming of the children, for which she has been long hopeful and deeply anxious, will have a salutary effect on her health.

The children have been with us from infancy and in no way has our relationship with them, and our feelings for them, differed from what would have been in the case of natural-born children.

Submitted herewith are some snapshots of the children, with my wife and I, myself, which we took in 1937, to serve as an evidence.

(c) In consideration of the plight of the children: As mentioned before, although due to Chinese custom contemporary adoption papers are lacking, a formal written statement may be obtained from the children's natural-born father to certify as to our adoption of the children in fact and in law. From the standpoint of the children, the urgency of this request is dictated by their present plight as refugees stranded in Hong Kong.

(1) Financial need: Their natural-born father, who remains in China, has married again and has another family to support. In the present circumstances, it is extremely difficult to maintain the children with the high cost of living in Hong Kong.

(2) Education and care: With the prolonged separation, the lack of suitable persons to supervise the care and schooling of the children is another grave problem. The question of their security, should they be forced to return to Communist-dominated territory, is a source of constant worry to us at this distance.

In view of all the above-mentioned points, I hope and trust that this is a case that not only requires but merits special consideration and dispensation from the authorities concerned. If a way could be found to surmount the apparent technical objections and enable visas to be issued to the children to join their parents in the United States, it would relieve the continued hardships on all concerned. Any advice and assistance as to the proper steps to be taken to achieve this will be sincerely appreciated.

ANDREW I. S. CHENG, D. D.

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THE FOREIGN SERVICE OF THE  
UNITED STATES OF AMERICA,  
UNITED STATES ARMY LIAISON OFFICE,  
*Hong Kong, B. C. C., January 14, 1952.*

*To Whom It May Concern:*

On January 9, 1952, Cheng Jih-hua, the adopted daughter, and Cheng Jih-lung, the adopted son of Dr. Andrew I. S. Cheng, chief of the Chinese Language Department, Army Language School, Monterey, Calif., appeared before the undersigned for an interview.

Cheng Jih-hua stated she was born in Foochow, Fukien Province, China, on November 29, 1934, and that she presently is attending the third year of the junior class at Yung Kang Middle School (private), Diamond Hill, Kowloon, Hong Kong, her seventh year of education. Cheng Jih-lung stated he also was born in Foochow, Fukien Province, China, on December 24, 1936, and that he presently is attending the

first year of the junior class at Yung Kang Middle School. The school's head-mistress is Miss Hsu Hui-i. Both children arrived in Hong Kong from China sometime in 1950, as soon as they could arrange exit and entry permits.

It was learned that Mr. William Yu was the blood parent of the above children, but following the death of the mother, Dr. Andrew I. S. Cheng adopted the two children through verbal agreement, a legal practice in Chinese society. Mr. Yu's blood sister is the present Mrs. Andrew I. S. Cheng in America.

Both children show high intelligence, are well behaved, and appear to be in excellent health. They are most anxious to join their adoptive parents in the United States.

It is most doubtful to undersigned that the children would ever become public charges, knowing full well the economic, professional and social standing of Dr. Cheng, plus his children's favorable background. Therefore, there appears no valid reason within the realm of these considerations, why these adopted children should not be allowed entry into the United States.

EDWIN P. ARNOLD,  
*Lieutenant Colonel, GS.*

*Edith Skeete—H. R. 3044, by Mrs. Kelly of New York*

The beneficiary, Edith Skeete, is a native of the British West Indies who is a subject of Great Britain. She was admitted to the United States for permanent residence in 1930, but returned to Barbados, British West Indies, to care for her aged and ill mother in 1935. She has 2 brothers and 2 sisters who are citizens and residents of the United States.

The pertinent facts in this case are contained in a letter dated June 1, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

UNITED STATES DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
OFFICE OF THE COMMISSIONER,  
*Washington 25, D. C., June 1, 1955.*

Hon. EMANUEL CELLER,  
*Chairman, Committee on the Judiciary,  
House of Representatives, Washington 25, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to bill (H. R. 3044) for the relief of Edith Skeete, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service which has custody of those files.

The bill provides that for the purpose of section 101 (a) (27) (B) of the Immigration and Nationality Act, she shall be held to be classified as a returning resident.

Sincerely yours,

\_\_\_\_\_, *Commissioner.*



MEMORANDUM OF INFORMATION FROM IMMIGRATION AND  
NATURALIZATION SERVICE FILES RE EDITH SKEETE, BENE-  
FICIARY OF H. R. 3044

Information concerning the beneficiary was furnished by the sponsor, Thomonda Metellda Sealy, a sister of the beneficiary, and a citizen of the United States.

The beneficiary, Edith Skeete, born March 29, 1905, is a native of the British West Indies and a subject of Great Britain. She never married and resides with a brother at St. Michaels, in Barbodos, British West Indies. She received the equivalent of an elementary school education abroad. The beneficiary's assets consist of about \$1,000 in cash savings and personal property. She has 2 brothers and 2 sisters, who are citizens and residents of the United States.

The beneficiary entered the United States at the port of New York on July 2, 1923, and July 28, 1930, at which times she was admitted as an immigrant and returning resident, respectively. On July 1, 1935, she returned to Barbados, British West Indies, to care for her mother, who was aged and infirmed. In view of her protracted absence, she thereby abandoned her residence in the United States.

The sponsor resides at 495 St. Marks Avenue, N. Y. She is employed as a part-time domestic worker by Dr. A. Lieberman, in Brooklyn, N. Y., and earns a salary of \$21 a week. Her assets consist of about \$2,000 in cash savings and personal property.

The Director of the Visa Office, Department of State, submitted the following report on this case:

JUNE 22, 1955.

HON. EMMANUEL CELLER,

*Chairman, Committee on the Judiciary,  
House of Representatives.*

DEAR MR. CELLER: Reference is made to your letter of March 3, 1955, and its enclosures, wherein you requested a report of the facts in the case of Miss Edith A. Skeete, beneficiary of H. R. 3044, 84th Congress, 1st session.

A report recently received by the Department from the American consulate at Barbados, British West Indies, states that Miss Skeete registered at that office on September 3, 1952, for an immigrant visa for the United States. A petition executed by her sister, Mrs. Thamonda M. Sealy, was approved by the Immigration and Naturalization Service on May 12, 1953, according her fourth preference status.

From correspondence in the files of the consulate it appears that Miss Skeete first went to the United States in 1923 and again in 1930. On December 11, 1934, she applied for a reentry permit, application No. 1019193 and apparently received permit No. 1011193. References in the file indicate that she returned to Barbados to take care of her mother and has remained there ever since.

As the fourth preference portion of the Barbados subquota is oversubscribed, it is anticipated that Miss Skeete would undergo a considerable period of waiting before a number could be allotted for her use.

At the present time there is no information in the Department's files from which it could be ascertained whether or not Miss Skeete would be eligible in all respects to receive a visa.

Sincerely yours,

ROLLAND WELCH,  
*Director, Visa Office.*

Mrs. Kelly of New York, the author of H. R. 3044, submitted the following statement in support of her bill:

H. R. 3044 FOR THE RELIEF OF EDITH SKEETE

I was requested by Mrs. Thamonda Sealy, a resident of my congressional district, and a sister of the beneficiary, to introduce this legislation. Mrs. Sealy, another sister, and two brothers of the alien are citizens and residents of the United States.

The Immigration Service records on Edith Skeete indicate that she was admitted for permanent residence in the United States in 1930. On December 11, 1934, she applied for and received a reentry permit. She returned to Barbados, her native land, to care for her ailing mother. Her services to her mother demanded her presence in Barbados much longer than the family had anticipated, but after the death of the mother, Edith Skeete applied for a visa and her name was placed on the waiting list at the consulate on September 3, 1952.

The brothers and sisters here in the United States are most anxious to be reunited with their sister who so unselfishly bore the burden of the family in caring for their mother. While I realize the laws we enact cannot provide sympathy clauses to be applied in certain meritorious cases, I do hope the committee can be guided by a feeling of humaneness and that it will report favorably on H. R. 3044.

Upon consideration of all the facts in each case included in this joint resolution, the committee is of the opinion that House Joint Resolution 591 should be enacted and accordingly recommends that the resolution do pass.

